

	ARRESTEE SEARCHES	Operations Order 7.1.01
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1. **GENERAL GUIDELINES**

- A. It is the policy of the Department that all arrestees must be searched for weapons and contraband. Individuals will be treated in a respectful, professional, and reasonable manner.
- B. For the purposes of this order, "officers" refers to sworn law enforcement officers, including detention officers.
- B. Officers will exercise good judgement, while performing a thorough search for weapons and contraband, when searching sensitive areas of the subject (breast, groin, and buttocks).
- C. Officers will control and secure all persons in their custody for the protection of officers and others.
 - (1) Arrestees will be considered potentially dangerous regardless of the charges against them.
 - (2) Arrestees will be searched before being transported, placed in a holding room, or booked into jail.
 - (a) A search must be thorough and should not be discontinued when one weapon is found as the subject may have more than one. The same is true for narcotic drugs, dangerous drugs, etc. and other contraband.
 - (b) All property, including smoking materials, will be removed from arrestees before placing them in a police vehicle.

2. **DEFINITIONS**

(1) Gender Identity	An individual's self-identification as male, female, a blend of both, or neither; how the individual perceives themselves and what they call themselves, whether the same or different from the individuals assigned sex at birth.
(2) Gender Expression	The external appearance of an individual's gender identity, usually expressed through behavior, clothing, haircut, or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.
(1) Religious Head Covering	A garment worn on or around the head that represents a specific religion, faith, cultural practice or system (e.g. yarmulke, wig, habit, turban, kufi, headscarf, hijab, burqa, etc.)
(2) Oval of the Face	An individual's forehead, eyes, nose, mouth, chin, and jawline.
(3) Uncovered photograph	A photograph taken of a prisoner without their religious head covering

3. **TYPES OF SEARCHES**

A. Standing Search	- Used subsequent to the standing speed cuffing - Considered the safest and most versatile search - Should be used in most non-high-risk arrest situations
B. Kneeling or Prone Search	- Should be used in most high-risk situations - May be used for group searches
C. Strip Search	- Most thorough search - In most instances, is conducted when an arrestee is in jail or in a police holding facility - See section 6 of this order for more information.

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4. **RELIGIOUS CONSIDERATIONS**

- A. Officers will take all possible steps, when consistent with personal safety, to respect a person's privacy, rights, and religious beliefs when it comes to removing religious head coverings and/or other religious items.
- B. Officers will advise persons wearing a religious head covering or other religious item that it must be temporarily removed and searched, and that it will be conducted in private and by a member of the same gender.
 - (1) After performing a thorough search for weapons and contraband, and it is reasonable and safe to do so, officers will allow the person to wear their religious head covering or other religious item/s.
- C. Officers will NOT remove religious head coverings or religious items for safekeeping unless there is an articulable reason to believe it is likely to be dangerous to life, can be used to harm themselves, or can be used to harm others.
- D. **Photographing Arrestees with Religious Head Coverings**
 - (1) Photographs will be taken with religious head coverings in place, ensuring the oval of the face is visible.
 - Religious head coverings that obscure the oval of the face may be moved to expose the oval of the face.
 - (2) Uncovered photographs will only be taken under the following circumstances:
 - There is reasonable suspicion the arrestee has a distinguishing feature not otherwise fully visible with the head covering in place that is of investigative value to the current investigation or arrest (e.g. hair color, tattoos, piercings, visible injury, moles, birthmarks, etc.).
 - There is reasonable suspicion that the arrestee committed the crime outside their residence while not wearing the head covering.

NOTE: If an uncovered photograph must be taken, the photograph will be taken in a private area by employee/s of the same gender.

5. **GENDER CONSIDERATIONS**

- A. The gender identity and expression of all individuals shall be respected.
- B. Officers will ensure their body-worn cameras are activated when conducting searches of arrestees.
 - (1) Officers may consider requesting an officer of the same identified sex as the arrestee to conduct the search or request another officer to respond as a witness to the search.
- C. If an arrestee requests to be searched by another officer based on religious or gender considerations, when practical and safe to do so, officers will honor the request.
 - (1) If the individual's preference could not be honored, the preference and reason why it could not be honored shall be documented appropriately.
- D. When circumstances are such that a thorough search cannot be conducted on-scene, a limited but thorough search, for weapons only, will be made before transporting the arrestee.



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5. D. (1) Arrestees who have not been thoroughly searched **will be** handcuffed until a thorough search has been performed.

- Items such as coats, jackets, hats, footwear, and handbags will be removed from the person and thoroughly searched.

6. **STRIP SEARCHES**

- A. Permission of a commander or higher will be obtained before conducting a strip search.
- B. The strip search must be reasonable, and justification will be documented in an Incident Report (IR).
- C. Only an officer who is of the same sex as the arrestee will conduct a strip search.
- Officers will limit searches of the vaginal or rectal areas to a visual one only.
- D. Strip searches will be conducted in private rooms with due regard for the person's dignity.

7. **BODY CAVITY SEARCHES**

- A. A body cavity search is any physical intrusion into the body (anal or vaginal) regardless of the how the intrusion occurs.
- B. Permission of a commander or higher will be obtained before having a body cavity search conducted.
- C. A body cavity search **will only be conducted by a medical doctor after** obtaining one of the below:
- Search warrant
 - Consent by the arrestee (the consent will be captured on video (body-worn camera (BWC) or other means).
- D. An officer of the same sex as the arrestee will be present during the body cavity search for evidentiary purposes.